

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
CENTRAL DIVISION**

**UNITED STATES OF AMERICA**

**VS.**

**4:19-CR-00281-01-JM**

**COREA WELCH**

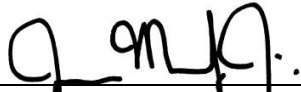
**ORDER**

Defendant's Motion to Reduce Sentence (Doc. No. 77) is DENIED.

Applying retroactive Guidelines Amendment 821 reduces Defendant's criminal history score from 6 to 4. However, his criminal history category remains III and his guideline range is unchanged.<sup>1</sup>

Additionally, Defendant's plea agreement provides that he "waives the right to have the sentence modified pursuant to Title 18, United States Code, Section 3582(c)(2) . . . ." <sup>2</sup> Because Defendant knowingly and voluntarily entered into his plea agreement, including this waiver, he is not entitled to relief.<sup>3</sup>

IT IS SO ORDERED this 23<sup>rd</sup> day of January, 2024.

  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> See U.S.S.G 1.10(a)(2) ("Exclusions.—A reduction in the defendant's term of imprisonment is not consistent with this policy statement and therefore is not authorized under 18 U.S.C. § 3582(c)(2) if— . . . an amendment listed in subsection (d) does not have the effect of lowering the defendant's applicable guideline range.").

<sup>2</sup> Doc. No. 53.

<sup>3</sup> *United States v. Cowan*, 781 F. App'x 571 (8th Cir. 2019) (affirming dismissal of a § 3582 (c)(2) motion when the record establish that the defendant knowingly and voluntarily entered the plea agreement).